

The following is an executive review of the 2014 traffic stop data report which is compiled from the SBI-122 traffic stop reports. During 2014 the department conducted 21,939 vehicle stops according to the SBI. This number represents a 14 percent decline from the 25,630 traffic stops during 2013. Comparing the first half 2014 to the second half, there was a 20 percent decline in traffic stops during the second half of the year. Of the 21,939 traffic stops, 8,440 drivers were white (38%), and 12,880 drivers were black (58.7%). The remainder of the drivers stopped would be classified as other. We reviewed the data for each individual officer. The number of stops range from a few stops a year to several hundred depending on the officer's assignment. The lower the number of stops conducted by an officer, the more notable the appearance of any racial disparity might be in regard to the percentages which are affected by the total number of stops made. When we look at the Traffic Services Unit, which conducted 4,909 (2,222 during the June 2014-December 2014 period) traffic stops as a unit (the most of any unit due to the nature of their job and the majority of those stops are for traffic violations throughout the city), the breakdown is 47% black and 39% white, which is much closer to the demographics of the city as a whole. In addition, the numbers provided on the officers do not account for off duty assignments such as Bull's Eye and Southside patrols which are in areas with a high concentration of black residents. These extra duty assignments would affect their traffic stop percentages outside of their normal duty assignment. We took that data and analyzed officers that stopped at least 25 vehicles and had a 75% or higher stop rate of minorities. That list consisted of 21 of our 512 officers. The commanders of those 21 officers were tasked with a more thorough analysis which included location, time, enforcement action, search and driver demographic of those officers' stops to include a random review of in car camera video. All but 5 of those officers worked in either district 1 or 4 which have the highest minority populations and the highest crime figures.\*

Attached is the density report for all traffic stops for 2014.

Based upon the data provided, we show no evidence of unexplainable disparities of stops among our officers, rather officers stopping vehicles consistent with the demographics and crime statistics of their assignments. Traffic stops are often not random in nature but an effective law enforcement action to deal with crime, particularly in high crime areas.

\*Population data is based on the 2010 census where district 1 was shown to be 62% black and 20% white. District 4 was shown to be 54% black and 32% white.

## **Consent Search Data**

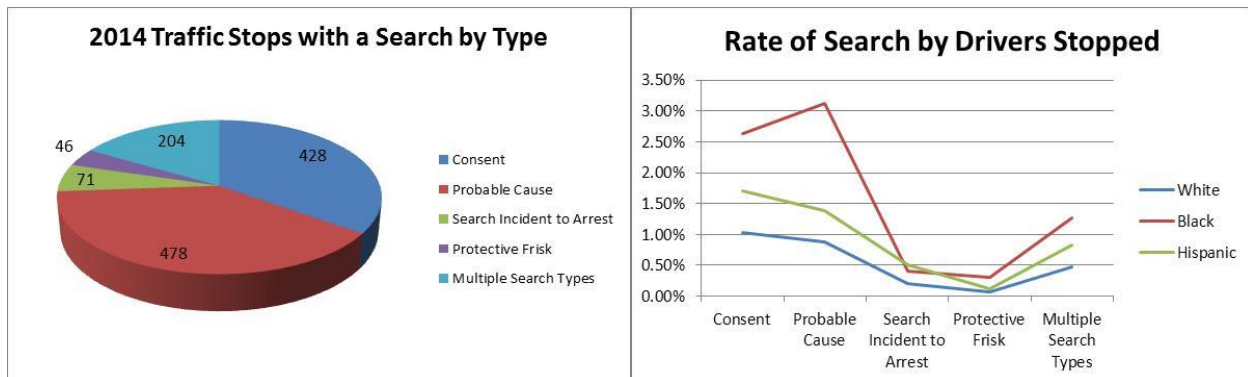
In October of 2014, it became the policy of the Durham Police Department that a consent form must be filled out for requests to search. Since this is a new practice, there was some initial confusion among officers regarding the procedures. This is a training issue and we have had several training sessions in an attempt to clear up any confusion. A report is generated monthly that shows the number of consent searches stemming from traffic stops, which is then reconciled with the number of forms. We are still finding some discrepancies, but they are due mostly to differences in report requirements. For example, a request to search a vehicle is not always initiated from a traffic stop, or the officer may not be able to

obtain sufficient information when a request is denied to complete a form<sup>1</sup>. The following is the consent search information that came from our internal database, which is more detailed than the summarized data provided on the State's web site<sup>2</sup>.

October 2014 - According to completed *Traffic Stop Reports*, there were 1,785 total vehicles stopped by the Durham Police Department during the month. Of these stops, there were 46 consent requests for a search (2.6%) made by officers, with 36 requests being granted and 10 being denied. There are 42 total forms on file for the period, including 36 where consent was granted and 6 that were denied.

November 2014 - According to completed *Traffic Stop Reports*, there were 1,625 total vehicles stopped by the Durham Police Department during the month. Of these stops, there were 29 consent requests for a search (1.8%) made by officers, with 21 requests being granted and 8 being denied. There are 39 total forms on file for the period, including 35 where consent was granted and 4 that were denied.

December 2014 - According to completed *Traffic Stop Reports*, there were 1,279 total vehicles stopped by the Durham Police Department during the month. Of these stops, there were 16 consent requests for a search (1.3%) made by officers, with 12 requests being granted and 4 being denied. There are 23 total forms on file for the period, including 19 where consent was granted and 4 that were denied.



Graph 1 – 2014 Traffic Stops with a Search by Type

Graph 2 – Rate of Search by Drivers Stopped

Just 428 of the vehicles stopped (1.9%) resulted in only a consent search (Graph 1), of which 340 drivers were Black, 87 were White, and 1 was Native American. After stops where there were multiple types of search (204) were eliminated, the rate for which only a consent search occurred was 2.63 percent for Black motorists, 1.02 percent for White motorists and 1.70 percent for Hispanic motorists (Table 1)<sup>3</sup>. These rates are fairly consistent with those for which only a probable cause search occurred (Graph 2).

<sup>1</sup> The number of forms will not always equal the number of consent searches stemming from traffic stops, and totals may actually be higher.

<sup>2</sup> The NC Department of Justice web site is not a suitable source for this information, due to the way they structure their Type of Search by Basis of Search report. For each *Type of Search* (i.e. consent, probable cause), an officer can choose up to six (6) *Basis of Search* selections for a single traffic stop, giving the appearance of a greater number of consent searches than what actually occurred. Instead of 934 consent searches for the Department in 2014, there were actually just 428 traffic stops in which only a consent search occurred.

<sup>3</sup> Traffic stops with multiple types of search were eliminated as being non-unique.

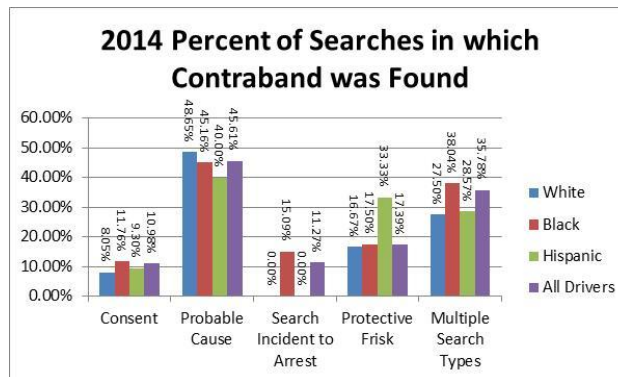
**Table 1 – Count and Rate of Search by Drivers Stopped<sup>4</sup>**

Type (all searches)	White	Black	Total by Race	Hispanic	Non-Hispanic	Total by Ethnicity
<b>Drivers Stopped</b>	<b>8,494</b>	<b>12,938</b>	<b>22,052</b>	<b>2,527</b>	<b>19,525</b>	<b>22,052</b>
<b>Drivers Searched (All)</b>	<b>225</b>	<b>999</b>	<b>1,227</b>	<b>115</b>	<b>1,111</b>	<b>1,227</b>
Consent	87	340	428	43	385	428
Probable Cause	74	403	478	35	443	478
Search Incident to Arrest	18	53	71	13	58	71
Protective Frisk	6	40	46	3	43	46
Multiple Search Types	40	163	204	21	183	204
<b>Percent Searched (All)</b>	<b>2.65%</b>	<b>7.72%</b>	<b>5.56%</b>	<b>4.55%</b>	<b>5.69%</b>	<b>5.56%</b>
Consent	1.02%	2.63%	1.94%	1.70%	1.97%	1.94%
Probable Cause	0.87%	3.11%	2.17%	1.39%	2.27%	2.17%
Search Incident to Arrest	0.21%	0.41%	0.32%	0.51%	0.30%	0.32%
Protective Frisk	0.07%	0.31%	0.21%	0.12%	0.22%	0.21%
Multiple Search Types	0.47%	1.26%	0.93%	0.83%	0.94%	0.93%

## Search Results

There were 1,227 traffic stops in which a search occurred, with 354 (28.85%) resulting in contraband being found. The rate was 10.98% for consent searches, and 45.61% for probable cause searches, with no significant disparities observed by race/ethnicity.

- Of the 428 traffic stops in which only a consent search occurred, 47 (10.98%) resulted in contraband being found, including 11.76% for black drivers, 8.05% for white drivers, and 9.30% for Hispanic drivers.
- Of the 478 traffic stops in which only a probable cause search occurred, 218 (45.61%) resulted in contraband being found, including 45.16% for black drivers, 48.65% for white drivers, and 40.00% for Hispanic drivers.



<sup>4</sup> Race categories of Native American, Asian and Other, representing only three (3) total searches, were eliminated for formatting reasons.